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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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UNITED STATES OF AMERICA

*versus*

GILBERTO ESPINOZA aka "Tito"

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CASE NO. 1:12-CR-18(3)

**ORDER ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT**

After conducting a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Honorable Zack Hawthorn, United States Magistrate Judge, made and filed Findings of Fact and Recommendations regarding the Defendant's plea of guilty to Count One of the First Superseding Indictment in the above-numbered case. The Magistrate Judge accepted the Defendant's guilty plea, recommends that the Defendant be adjudged guilty of the offenses to which he pleaded guilty, and recommends that the court conditionally accept the Defendant's plea agreement pending review of the pre-sentence report.

The parties do not object to the Magistrate Judge's findings and conclusions, and the Court is of the opinion that they should be and are **ADOPTED**. Further, the Court **RATIFIES** the Magistrate Judge's acceptance of the guilty plea. Accordingly, it is **ORDERED**:

1. That the Defendant is adjudged **GUILTY** of the offense alleged in Count 1 of the First Superseding Indictment, in violation of 21 U.S.C. § 846; and
2. The Court conditionally accepts the Defendant's plea agreement pending review of the pre-sentence report.

SIGNED at Sherman, Texas, this 13th day of February, 2013.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE